

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**AUBREY LEE PRICE;
PFG, LLC; PFGBI, LLC;
MONTGOMERY ASSET
MANAGEMENT, LLC f/k/a PFG
ASSET MANAGEMENT, LLC, (Florida
Limited liability company); and
MONTGOMERY ASSET MANGEMENT,
LLC f/k/a PFG ASSET MANAGEMENT,
LLC,(Georgia limited liability company)**

Defendants.

Civil Action No.

1:12-CV-2296-TCB

RULE 5.4 CERTIFICATE OF SERVICE OF DISCOVERY

Pursuant to Local Rule 5.4(a) of the United States District Court for the Northern District of Georgia, and other applicable rules of the United States District Courts, Melanie E. Damian, Esq. as receiver (the "Receiver") over all assets of Defendant Aubrey Lee Price, PFG, LLC, PFGBI, LLC, Montgomery Asset Management, LLC, and Montgomery Asset Management, LLC f/k/a PFG Asset Management, LLC files this Certificate of Service. This is to certify that the

Receiver has served the Subpoenas Duces Tecum attached hereto as "Exhibit A" on the following entities by either facsimile, email, or United States Mail, with adequate postage affixed thereto, addressed as follows:

W. Shawn Murnahan, Esq.
Securities and Exchange Commission
950 East Paces Ferry Road, N.E., Suite 900
Atlanta, GA 30326
murnahanw@sec.gov

Robert J. Waddell, Jr.
McGuire Woods LLP-GA
1230 Peachtree Street, N.E.
Suite 2100, Promenade II
Atlanta, GA 30309
404-443-5500
Fax: 404-443-5599
Email: rwaddell@mcguirewoods.com

Mount Vernon Bank
c/o Donald M. Thigpen, Registered Agent
2109 East First Street
Vidalia, GA 30474

Brown Rountree, PC
c/o Charles H. Brown, Esq.
26 North Main Street
Statesboro, GA 30459
Fax: 912-764-2251

Dated: December 21, 2012.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: /s/ Paul E. Vranicar

John M. Hamrick

Georgia Bar No. 322079

Paul E. Vranicar

Georgia Bar No. 288926

1201 West Peachtree Street, N.E.

One Atlantic Center, Suite 2000

Atlanta, Georgia 30309-3453

Phone: 404 817 8500

Fax: 404 881 0470

john.hamrick@hklaw.com

paul.vranicar@hklaw.com

DAMIAN & VALORI LLP

Kenneth Dante Murena

Florida Bar No. 147486

(admitted pro hac vice)

1000 Brickell Avenue

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Miami, FL 33131

Phone: 305 371 3960

EXHIBIT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

AUBREY LEE PRICE; PFG, LLC; PFGBI, LLC;
MONTGOMERY ASSET MANAGEMENT, LLC
f/k/a PFG ASSET MANAGEMENT, LLC,
(Florida Limited liability company); and
MONTGOMERY ASSET MANAGEMENT, LLC
f/k/a PFG ASSET MANAGEMENT,
LLC,(Georgia limited liability company)

Defendants.

CIVIL ACTION FILE NO.:
1:12-cv-2296-TCB

**SUBPOENA DUCES TECUM TO
PRODUCE DOCUMENTS WITHOUT DEPOSITION**

To: Mount Vernon Bank
c/o Donald M. Thigpen, as Registered Agent
2109 East First St
Vidalia, GA 30474

YOU ARE HEREBY COMMANDED to produce at the offices of Damian & Valori LLP, 1000 Brickell Avenue, Suite 1020, Miami, FL 33131 on **December 22, 2012 at 12:00 p.m.** the following: *ALL DOCUMENTS LISTED IN EXHIBIT "A" ATTACHED HERETO.*

These items will be inspected and may be copied at that time. You will not be required to surrender the original times. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. You may condition the preparation of the copies upon the payment in advance of the reasonable cost of preparation. **You may mail or deliver the copies to the attorney whose name appears on this subpoena on or before the scheduled date of production and thereby eliminate your appearance at the time and place specified above. You have the right**

to object to the production pursuant to this notice at any time before production by giving written notice to the attorney whose name appears on this notice. **THIS WILL NOT BE A DEPOSITION, NO TESTIMONY WILL BE TAKEN.**

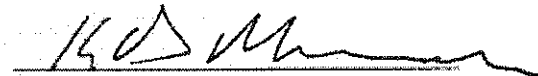
If you fail to:

- (1) appear as specified; or
- (2) furnish the documents as specified; or
- (3) object to this subpoena,

you may be in contempt of court. You are subpoenaed to furnish the records by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

Dated: December 12, 2012

FOR THE COURT




Kenneth Dante Murena, P.A.
Florida Bar No. 0147486
DAMIAN & VALORI LLP
Counsel for the Receiver
1000 Brickell Avenue, Suite 1020
Miami, Florida 33131
Telephone: 305-371-3960
Facsimile: 305-371-3965
Admitted pro hac vice

HOLLAND & KNIGHT LLP
John M. Hamrick
Georgia Bar No. 322079
Suite 2000, One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, Georgia 30309-3453
(404) 817-8500
(404) 881-0470 (fax)
john.hamrick@hklaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been emailed and/or mailed this 12TH day of December, 2012, to all parties listed on the attached Service List.


Kenneth Dante Murena, P.A.
Florida Bar No. 0147486
Admitted pro hac vice

SERVICE LIST

W. Shawn Murnahan, Esq.
Email: murnahanw@sec.gov
Elizabeth Skola, Esq.
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Securities and Exchange Commission
950 East Paces Ferry Road, N.E., Ste.
900
Atlanta, GA 30326
Via E-mail

Robert J. Waddell, Jr., Esq.
Counsel for FDIC
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Laura E. Reinhold, Esq.
Email: lreinhold@mcguirewoods.com
McGuire Woods, LLP
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Via E-mail

Aubrey Lee Price
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Valdosta, GA 31602
Via U.S. Mail

Michael J. Athens, Esq.
191 Peachtree Street NE, Suite 4600
Atlanta, GA 30303
Via E-mail

EXHIBIT "A"

DEFINITIONS AND INSTRUCTIONS

I. "Document" has the full extent of its meaning as provided in the Federal Rules of Civil Procedure, and means any writing or other tangible thing containing written or graphic matter, whether printed, recorded, reproduced by any process, or written or produced by hand, including but not limited to the original and any non-identical copy, including the following: letters, reports, agreements (including drafts, proposals and any and all exhibits thereto), communications, including inter-company communications, e-mail, correspondence, telegrams, teletype messages, memoranda, summaries, recordings, records of personal conversations, diaries, forecasts, photographs, tape records, models, statistical statements, graphics, laboratory and engineering reports and notebooks, charts, plans, drawings, minutes, records of conferences, agendas, expressions or statements of policy, lists of persons attending meetings or conferences, reports, summaries of interviews, reports and/or summaries of investigations, inspections, opinions or reports of consultants, brochures, pamphlets, advertisements, circular, trade letters, press releases, drafts of any documents and revisions of drafts of any documents, tabulations, charts, books of account, ledgers, invoices, financial statements, purchase orders, receipts, canceled checks and things similar to the foregoing, however denominated by Plaintiffs or their agents. The term "document" shall include data stored, maintained or organized electronically, magnetically or through the use of computer equipment, translated, if necessary, by you into reasonably usable form. "Relating to" means referring to, evidencing, discussing, defining, mentioning, pertaining to, consisting

of, reflecting, concerning, recording, evaluating, or in any way logically or factually connected with the matter discussed or to which reference is made.

2. "Person" shall mean any individual, corporation, proprietorship, trust, association or any other entity, including any kind of governmental, legal or business entity.

3. "Communication" means any oral, electronic, or written utterance, notation or statement of any nature whatsoever, by or whomsoever made, including but not limited to correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons.

4. "And" and "or" shall be construed to include both the conjunctive as well as the disjunctive, so as to make these requests inclusive rather than exclusive.

5. "Pertaining to" means relating to, referring to, or regarding the subject matter of the request.

INSTRUCTIONS

6. This Request requires you to produce all responsive documents in your possession, custody, or control, or in the possession, custody or control of any of your agents, representatives, servants, employees, accountants or attorneys, wherever those documents might be located.

7. Each request should be read so as not to include documents or things subject to an evidentiary privilege or immunity from discovery if necessary to permit the production of documents or things otherwise responsive to the request. To the extent that a request calls for the production of documents or things subject to a privilege or

immunity from discovery, the written response to that request should so indicate, but you should produce the balance of the documents or things not subject to a claim of privilege which fall within the scope of the request. Additionally, to the extent information subject to an evidentiary privilege or immunity from discovery is contained within responsive documents or things that also contain discoverable information you should produce a redacted version of the document or thing containing the discoverable information with a notation on the produced document or thing indicating that it is being produced in redacted form.

8. As to each document requested which you object to producing on the basis of any evidentiary privilege or immunity from discovery, please provide the following information pursuant to Fed. R. Civ. P. 26(b)(5):

- a. The basis for the privilege being invoked;
- b. The date of the document;
- c. The title of the document (if any);
- d. The name of the person(s) authoring the document;
- e. The name of the person(s) to whom the document and/or any copies thereof were given or transmitted;
- f. The present location and custodian of the document, or any copies thereof; and
- g. The general subject matter dealt with in the document with reasonable specificity.

9. Your responses to these requests are to be supplemented to the full extent required by the Federal Rules of Civil Procedure, and each request shall be construed to include any documents responsive to the request that are later discovered by you.

10. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense as necessary to bring within the scope of these requests any documents that might otherwise be construed as outside their scope.

11. The singular shall be construed to include the plural, and the plural shall be construed to include the singular as necessary to bring within the scope of these requests any documents that might otherwise be construed to be outside their scope.

12. All documents produced in response to this request shall be produced in accordance with Rule 34(b), Fed.R. Civ.P., as they are kept in the usual course of business or shall be organized and labeled to correspond with these requests.

DOCUMENTS REQUESTED

1. All Documents and Communications pertaining to any or all of the following entities and/or person from January 1, 2008 to the present:

1. Aubrey Lee Price (Date of Birth: July 31, 1966, SS No.: 255-35-4482);
2. PFG, LLC (FEIN NO. 26-1821488);
3. PFGBI, LLC (FEIN NO. 27-3241111);
4. Montgomery Asset Management, LLC f/k/a/ PFG Asset Management, LLC (Florida Limited Liability Company) (FEIN NO. 27-0174986);
5. Montgomery Asset Management, LLC f/k/a/ PFG Asset Management, LLC (Georgia Limited Liability Company) (FEIN NO. 27-0174986);
6. PFGIA LLC (FEIN NO. 27-3314556);
7. PFGRE LLC;
8. Montgomery County Bankshares, Inc. (FEIN NO. 58-1699035);
9. SCAN International USA (FEIN 45-2396918);
10. Montgomery Growth Fund, LLC (FEIN NO. 27-5627011);
11. Price Financial Group, Inc. (FEIN NO. 20-5231709);
12. PFG Short Term Income Fund, LLC (FEIN NO. 27-0878898); and/or
13. PFG Asset Management, LLC (FEIN NO. 27-0174986).

2. All documents and communications including, without limitation, statements, checks, wire transfer confirmations, and account opening documents, pertaining to any account at your institution held in the name of any of the entities or person listed in Request No. 1 above from January 1, 2008 to the present.

3. All documents and communications pertaining to transfers of funds to and/or from accounts at your institution in the name of any of the entities or person listed in Request No. 1.

4. All **Communications** between or among you and any of the entities or person listed in Request No. 1 above from January 1, 2008 to the present.

5. All Documents and Communications pertaining to **any accounts, certificates of deposit, loans, lines of credit, checks, credit cards, ATM cards, safe deposit boxes, and all other accounts, products or services** used or owned by or pertaining to any of the entities or person listed in Request No. 1, including, without limitation, **applications and records pertaining to the opening or initiation of any such accounts, products or services** from January 1, 2008 to the present.

6. All Documents and Communications pertaining to any **transfer, wire, payment, disbursement or other disposition of funds, assets, any other personal property, or any real property interests to or from** any account at your institution held by any of the entities or person listed in Request No. 1 from January 1, 2008 to the present.

7. All documents and communications pertaining to **transfers of funds, monies, payments, disbursements, wires, transfers or other assets** between or among your institution and any of the entities or person listed in Request No. 1 above, from January 1, 2008 to the present.

8. All Documents and Communications relating to **any transactions, business ventures, commercial relationships, investments, partnerships, entities, or other dealings**, between or among your institution and any of the entities or person listed in Request No. 1 above from January 1, 2008 to the present.

9. Any Documents responsive to any of the foregoing requests which are kept in electronic form.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

AUBREY LEE PRICE; PFG, LLC; PFGBI, LLC;
MONTGOMERY ASSET MANAGEMENT, LLC
f/k/a PFG ASSET MANAGEMENT, LLC,
(Florida Limited liability company); and
MONTGOMERY ASSET MANAGEMENT, LLC
f/k/a PFG ASSET MANAGEMENT,
LLC, (Georgia limited liability company)

Defendants.

CIVIL ACTION FILE NO.:
1:12-cv-2296-TCB

**SUBPOENA DUCES TECUM TO
PRODUCE DOCUMENTS WITHOUT DEPOSITION**

To: Brown Rountree, P.C.
c/o Charles H. Brown, Esq.
26 North Main Street
Statesboro, GA 30459
Fax: 912-764-2251

YOU ARE HEREBY COMMANDED to produce at the offices of Damian & Valori LLP, 1000 Brickell Avenue, Suite 1020, Miami, FL 33131 on **December 4, 2012 at 12:00 p.m.** the following: *ALL DOCUMENTS LISTED IN EXHIBIT "A" ATTACHED HERETO.*

These items will be inspected and may be copied at that time. You will not be required to surrender the original times. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. You may condition the preparation of the copies upon the payment in advance of the reasonable cost of preparation. **You may mail or deliver the copies to the attorney whose name appears on this subpoena on or before the scheduled date of production and thereby**

eliminate your appearance at the time and place specified above. You have the right to object to the production pursuant to this notice at any time before production by giving written notice to the attorney whose name appears on this notice. THIS WILL NOT BE A DEPOSITION, NO TESTIMONY WILL BE TAKEN.


If you fail to:

- (1) appear as specified; or
- (2) furnish the documents as specified; or
- (3) object to this subpoena,

you may be in contempt of court. You are subpoenaed to furnish the records by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

Dated: November 27, 2012

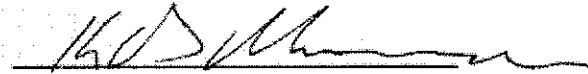
FOR THE COURT


Kenneth Dante Murena, P.A.
Florida Bar No. 0147486
DAMIAN & VALORI LLP
Counsel for the Receiver
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Admitted pro hac vice

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Atlanta, Georgia 30309-3453
(404) 817-8500
(404) 881-0470 (fax)
john.hamrick@hklaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been emailed and/or mailed this 27th day of November, 2012, to all parties listed on the attached Service List.



Kenneth Dante Murena, P.A.

Florida Bar No. 0147486

Admitted pro hac vice

SERVICE LIST

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Via E-mail

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Via E-mail

Aubrey Lee Price
4616 Rainwood Circle
Valdosta, GA 31602
Via U.S. Mail

Michael J. Athens, Esq.
191 Peachtree Street NE, Suite 4600
Atlanta, GA 30303
Via E-mail

EXHIBIT "A"

DEFINITIONS AND INSTRUCTIONS

1. "Document" has the full extent of its meaning as provided in the Federal Rules of Civil Procedure, and means any writing or other tangible thing containing written or graphic matter, whether printed, recorded, reproduced by any process, or written or produced by hand, including but not limited to the original and any non-identical copy, including the following: letters, reports, agreements (including drafts, proposals and any and all exhibits thereto), communications, including inter-company communications, e-mail, correspondence, telegrams, teletype messages, memoranda, summaries, recordings, records of personal conversations, diaries, forecasts, photographs, tape records, models, statistical statements, graphics, laboratory and engineering reports and notebooks, charts, plans, drawings, minutes, records of conferences, agendas, expressions or statements of policy, lists of persons attending meetings or conferences, reports, summaries of interviews, reports and/or summaries of investigations, inspections, opinions or reports of consultants, brochures, pamphlets, advertisements, circular, trade letters, press releases, drafts of any documents and revisions of drafts of any documents, tabulations, charts, books of account, ledgers, invoices, financial statements, purchase orders, receipts, canceled checks and things similar to the foregoing, however denominated by Plaintiffs or their agents. The term "document" shall include data stored, maintained or organized electronically, magnetically or through the use of computer equipment, translated, if necessary, by you into reasonably usable form. "Relating to" means referring to, evidencing, discussing, defining, mentioning, pertaining to, consisting

of, reflecting, concerning, recording, evaluating, or in any way logically or factually connected with the matter discussed or to which reference is made.

2. "Person" shall mean any individual, corporation, proprietorship, trust, association or any other entity, including any kind of governmental, legal or business entity.

3. "Communication" means any oral, electronic, or written utterance, notation or statement of any nature whatsoever, by or whomsoever made, including but not limited to correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons.

4. "And" and "or" shall be construed to include both the conjunctive as well as the disjunctive, so as to make these requests inclusive rather than exclusive.

5. "Pertaining to" means relating to, referring to, or regarding the subject matter of the request.

6. "The Firm" shall mean Brown Rountree, P.C. and/or any of its officers, agents, employees, attorneys, and/or partners.

INSTRUCTIONS

7. This Request requires you to produce all responsive documents in your possession, custody, or control, or in the possession, custody or control of any of your agents, representatives, servants, employees, accountants or attorneys, wherever those documents might be located.

8. Each request should be read so as not to include documents or things subject to an evidentiary privilege or immunity from discovery if necessary to permit the

production of documents or things otherwise responsive to the request. To the extent that a request calls for the production of documents or things subject to a privilege or immunity from discovery, the written response to that request should so indicate, but you should produce the balance of the documents or things not subject to a claim of privilege which fall within the scope of the request. Additionally, to the extent information subject to an evidentiary privilege or immunity from discovery is contained within responsive documents or things that also contain discoverable information you should produce a redacted version of the document or thing containing the discoverable information with a notation on the produced document or thing indicating that it is being produced in redacted form.

9. As to each document requested which you object to producing on the basis of any evidentiary privilege or immunity from discovery, please provide the following information pursuant to Fed. R. Civ. P. 26(b)(5):

- a. The basis for the privilege being invoked;
- b. The date of the document;
- c. The title of the document (if any);
- d. The name of the person(s) authoring the document;
- e. The name of the person(s) to whom the document and/or any copies thereof were given or transmitted;
- f. The present location and custodian of the document, or any copies thereof; and
- g. The general subject matter dealt with in the document with reasonable specificity.

10. Your responses to these requests are to be supplemented to the full extent required by the Federal Rules of Civil Procedure, and each request shall be construed to include any documents responsive to the request that are later discovered by you.

11. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense as necessary to bring within the scope of these requests any documents that might otherwise be construed as outside their scope.

12. The singular shall be construed to include the plural, and the plural shall be construed to include the singular as necessary to bring within the scope of these requests any documents that might otherwise be construed to be outside their scope.

13. All documents produced in response to this request shall be produced in accordance with Rule 34(b), Fed.R. Civ.P., as they are kept in the usual course of business or shall be organized and labeled to correspond with these requests.

DOCUMENTS REQUESTED

1. All Documents and Communications pertaining to any or all of the following entities and/or person within the previous two (2) years:

1. Aubrey Lee Price (Date of Birth: July 31, 1966, SS No.: 255-35-4482);
2. PFG, LLC (FEIN NO. 26-1821488);
3. PFGBI, LLC (FEIN NO. 27-324111);
4. Montgomery Asset Management, LLC f/k/a/ PFG Asset Management, LLC (Florida Limited Liability Company) (FEIN NO. 27-0174986);
5. Montgomery Asset Management, LLC f/k/a/ PFG Asset Management, LLC (Georgia Limited Liability Company) (FEIN NO. 27-0174986);
6. PFGIA LLC;
7. PFGRE LLC;
8. Montgomery County Bankshares, Inc. (FEIN NO. 58-1699035);
9. SCAN International USA (FEIN 45-2396918); and/or
10. Montgomery Growth Fund, LLC.

2. All files for any of the entities or person listed in Request No. 1 above.

3. All documents and correspondence pertaining to the January 12, 2010 "Demand for Payment of Claim," Claim No. F1000213 sent by the Firm to Travelers Insurance, Bond & Financial Products on behalf of Montgomery County Bankshares, Inc. related to Financial Institution Bond No. 468PB1297.

4. All documents pertaining to the Firm's representation of any of the entities or person listed in Request No. 1 above.

5. All communications pertaining to the Firm's representation of any of the entities or person listed in Request No. 1 above.

6. All documents and communications pertaining to any due diligence performed by the Firm related to any investments, corporate planning, stock purchases, or any other due diligence performed, regarding any of the entities or person listed in Request No. 1 above.

7. All documents responsive to any foregoing requests which are in electronic form, in its native format.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via U.S. Mail, or e-mail (where indicated) upon:

W. Shawn Murnahan, Esq.
Securities and Exchange Commission
950 East Paces Ferry Road, N.E., Suite 900
Atlanta, GA 30326
murnahanw@sec.gov

Aubrey Lee Price
4616 Rainwood Circle
Valdosta, GA 31602

Robert J. Waddell, Jr.
McGuire Woods LLP-GA
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/s/ Paul E. Vranicar
Paul E. Vranicar, Esq.
Georgia Bar No. 288926

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